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Legal Department, DL429  
Intellectual Property Administration  
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Loveland, Colorado 80537-0599

PATENT APPLICATION  
ATTORNEY DOCKET NO. 10031034-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Michael T. Barrett, Alicia F. Scheffer

Serial No.: Unassigned

Examiner: Unassigned

Filing Date: Herewith

Group Art Unit: N/A

Title: METHODS AND COMPOSITIONS FOR DETERMINING THE RELATIONSHIP BETWEEN HYBRIDIZATION SIGNAL OF aCGH PROBES AND TARGET GENOMIC DNA COPY NUMBER

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- (X) under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- ( ) under 37 CFR 1.97(c) together with either a:  
( ) Statement under 37 CFR 1.97(e), or  
( ) a \$180.00 Processing fee under 37 CFR 1.17(p), or  
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- ( ) under 37 CFR 1.97 (d) together with a:  
( ) Statement under 37 CFR 1.97(e), and  
( ) a \$180.00 processing fee under 37 CFR 1.17(p).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Please charge to Deposit Account 50-1078 the sum of \$0.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

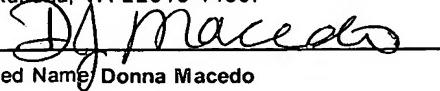
(x) Applicant(s) submit herewith Form PTO 1449. References identified with an asterisk (\*) were disclosed in Patent Application No. \_\_\_\_\_ filed \_\_\_\_\_ now U. S. Patent No. \_\_\_\_\_, and, as such, copies thereof are not included pursuant to the provisions of 37 CFR 1.98(d).

( ) A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

"Express Mail" label no. **EV405280630US**

Date of Deposit **04-20-2004**

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By   
Typed Name **Donna Macedo**

Respectfully submitted,

**Michael T. Barrett, Alicia F. Scheffer**

By

  
**Bret Field for Mike Beck**

Attorney/Agent for Applicant(s)  
Reg. No. **37,620**

Date: **04-20-2004**

Telephone No.: **(650) 485-3864**

## PATENT APPLICATION

Sheet 1 of 3

<b>FORM PTO-1449</b>  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	ATTY. DOCKET NO.	SERIAL NO.
	10031034-1	00/000,000
	APPLICANT	Michael Barrett, Alicia Scheffer
	FILING DATE Herewith	GROUP N/A

**REFERENCE DESIGNATION**      **U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	*	DOCUMENT NUMBER	DATE	NAME
		5,348,855	09-20-1994	Dattagupta et al.
		5,447,841	09-05-1995	Gray et al.
		5,665,549	09-09-1997	Pinkel et al.
		5,830,645	11-03-1998	Pinkel et al.
		5,965,362	10-12-1999	Pinkel et al.
		6,159,685	12-12-2000	Pinkel et al.
		6,197,501	03-06-2001	Cremer et al.
		6,210,878	04-03-2001	Pinkel et al.
		6,251,601	06-26-2001	Bao et al.
		6,335,167	01-01-2002	Pinkel et al.

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	NAME	TRANSLATION	
					YES	NO
		WO99/23256	05/14/1999	Wigler et al.		

**OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)**

	POLLACK et al. "Microarray analysis reveals a major direct role of DNA copy number alteration in the transcriptional program of human breast tumors" PNAS October 1, 2002, Vol. 99, No. 20. 12963-12968
	WILHELM et al. "Array-based comparative genomic hybridization for the differential diagnosis of Renal Cell Cancer" Cancer Research 62:957-960, 02-15-2002
	PINKEL et al. "High resolution analysis of DNA copy number variation using comparative genomic hybridization to microarrays" Nature Genomics Vol. 20, 10-20-1998 pp.207-211

EXAMINER	DATE CONSIDERED
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\* Copies of these references are not enclosed pursuant to 37 CFR 1.98(d). (See accompanying IDS)

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	<b>FILING DATE</b> <b>Herewith</b>	<b>GROUP</b> <b>N/A</b>

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## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	NAME	TRANSLATION
					YES NO

**OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)**

	CAI et al. "Genome-wide detection of chromosomal imbalances in tumors using BAC microarrays" Nature Biotechnology, Vol. 20, April 2002, pp. 393-396
	SNIJDERS et al. "Assembly of microarrays for genome-wide measurement of DNA copy number" Nature Genetics, Vol. 29, November 2001, pp. 263-264
	HODGSON et al. "Genome scanning with array CGH delineates regional alterations in mouse islet carcinomas" Nature Genetics Vol. 29, December 2001, pp. 459-464

\* Copies of these references are not enclosed pursuant to 37 CFR 1.98(d). (See accompanying IDS)

**PATENT APPLICATION**

Sheet 3 of 3

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					YES NO

**OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)**

		TRASK et al. "Human cytogenetics: 46 chromosomes, 46 years and counting" Nature Reviews/Genetics Vol. 3, October 2002 pp. 769-778
EXAMINER		DATE CONSIDERED

\* Copies of these references are not enclosed pursuant to 37 CFR 1.98(d). (See accompanying IDS)